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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/081,578   | 02/22/2002  | Daniel Rosenkranz    | 770P010635-US (PAR) | 1982             |
| 2512   | 7590        | 11/18/2004           | EXAMINER            |                  |
| PERMAN & GREEN<br>425 POST ROAD<br>FAIRFIELD, CT 06824 |             |                      | NGUYEN, NHON D      |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2179                |                  |
| DATE MAILED: 11/18/2004                                |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                      |  |  |
|------------------------------|----------------------|--|--|
| <b>Office Action Summary</b> | Application No.      | Applicant(s)   |  |
|                              | 10/081,578           | ROSENKRANZ ET AL.  |  |
|                              | Examiner             | Art Unit   |  |
|                              | Nhon (Gary) D Nguyen | 2179   |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11122004</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Objections*

1. Claims 1-4, 8-18, 19-22 and 26-36 are objected to because of the following informalities:

Regarding claim 1, phrase "*a categories*" should be changed to --*a category*--. The same objection is applied to claim 19.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-4, 8-18, 19-22 and 26-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "said screens" in line 10. There is insufficient antecedent basis for this limitation in the claim because "said screens" could refer to "main screens", "work screens" or "display screens". The same rejection is applied to claim 19.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 4, 5, 8, 11-16, 19, 20, 22, 23, 26 and 29-34 are rejected under 35

U.S.C. 102(b) as being anticipated by Kabacaoglu et al. ("Kabacaoglu", US 5,818,020).

As per claims 1 and 19, Kabacaoglu teaches a computer implemented method and corresponding system for a franking system that includes a control interface for manually entering data and system directives comprising the steps/means:

a system controller; and a control interface for manually entering data and system directives (fig. 1; col. 3, line 65 – col. 4, line 30),

the control interface comprising a touch screen display; and a display generator adapted to generate display screens having a plurality of touch button regions (col. 2, lines 27-54; fig. 4 and fig. 5; col. 4, line 54 – col. 5, line 12).

wherein said control system is adapted to generate main screens (fig. 3) and work screens (fig. 7 – fig. 12), said screens also comprising main areas for entering current data and directives (fig. 6 – fig. 12), and history tabs adapted to activate displays for viewing the status and previous action associated with a categories of functions or information, and allowing a user to change information in the category associated with each specific history tab (col. 4, lines 8-24).

As per claims 2 and 20, Kabacaoglu teaches the history tabs activate displays for only one previous history of the category associated therewith (col. 4, lines 8-24).

As per claims 4 and 22, Kabacaoglu teaches the history tabs activate displays for categories of rate-related information (fig. 8; col. 6, lines 30-49).

As per independent claims 5 and 23, Kabacaoglu teaches a computer implemented method and corresponding system for a franking system that includes a control interface for manually entering data and system directives comprising the steps/means:

a touch screen display; a display generator adapted to generate display screens having a plurality of touch button regions (col. 2, lines 27-54; fig. 4 and fig. 5; col. 4, line 54 – col. 5, line 12); and

a user display preference control coupled to said display generator, and adapted to control the grouping and orientation of said touch button regions (col. 4, lines 43-53).

As per claims 8 and 26, Kabacaoglu teaches a display preference control coupled to said display generator, and adapted to control the grouping and orientation of said touch button regions (col. 4, lines 43-53).

As per claims 11, 12, 29 and 30, Kabacaoglu teaches the control system is further adapted to assign a particular advertisement field to be included in indicia printed on mail or mail labels, the particular advertisement field depending on the account to which mail being franked is charged and depending on the user operating said franking machine (col. 6, lines 30-39).

As per claims 13 and 31, Kabacaoglu teaches the control interface further comprises an overlay screen activation key adapted to activate an series of overlay screens linked to said main

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screens or said work screens, said overlay screens for entry of data or commands without closing the associated main or work screen (col. 5, lines 42-51 and col. 6, lines 31-53).

As per claims 14 and 32, Kabacaoglu teaches the overlay screens are associated with display settings (col. 5, lines 58 – col. 6, line 16).

As per claims 15 and 33, Kabacaoglu teaches the overlay screens are associated with print engine management (col. 5, lines 13-41).

As per claims 16 and 34, Kabacaoglu teaches the overlay screens are associated with print position settings (col. 5, lines 13-41).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3, 17, 21 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabacaoglu in view of Official Notice.

As per claims 3 and 21, Kabacaoglu does not disclose the history tabs activate displays for categories of mandatory franking information. Examiner takes Official Notice that categories of mandatory franking information are just a design choice of the franking system and it is

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obvious in the art. It would have been obvious to an artisan at the time of the invention to use the teaching from Official Notice of categories of mandatory franking information in Kabacaoglu's system since it would force users enter needed information.

As per claims 17 and 35, Kabacaoglu does not disclose the overlay screens are associated with motor control settings. However, Examiner takes Official Notice that motor control settings are obvious in Franking system. It would have been obvious to an artisan at the time of the invention to use the teaching from Official Notice of associating overlay screens with motor control settings in Kabacaoglu's system since it would improve the system by allowing users to control the speed settings.

8. Claims 6, 7, 9, 10, 24, 25, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabacaoglu in view of Needham (US 5,402,152).

As per claims 6, 7, 24 and 25, Kabacaoglu does not disclose the display preference control and said display generator are adapted to located groups with more frequently touched touch button regions in a user-chosen hemisphere of displays, wherein said user-chosen hemisphere corresponds to the dominant side of the user's body. Needham discloses that in col. 4, lines 33-58. It would have been obvious to an artisan at the time of the invention to use the teaching from Needham of locating graphical user interface with more frequently touched regions in a user-chosen hemisphere of displays in Kabacaoglu's system since it would allow users control the GUI regions easier and faster.

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Claims 9, 10, 27 and 28, they recite a combination of limitations recited in claims 6 and 7; therefore they are rejected as set forth in the rejection of claims 6 and 7, combined.

9. Claims 18 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabacaoglu in view of Fischer et al. ("Fischer", US 6,208,338).

As per claims 18 and 36, Kabacaoglu does not disclose the overlay screens are associated with user context-sensitive information. Fischer teaches that in col. 1, lines 14-21 and col. 3, lines 36-65. It would have been obvious to an artisan at the time of the invention to use the teaching from Fischer of associating user context-sensitive information with the overlay screens in Kabacaoglu's system since it would make the process of displaying information faster.

### *Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6466935 B1 to Stuart, Anthony Franke discloses applying relational database technology to process control in manufacturing processes.

US 5717596 A to Bernard, Joel P. et al. discloses method and system for franking, accounting, and billing of mail services.

US 6266055 B1 to Mozdzer, Joseph M. et al. discloses customizable user interface for a mailing apparatus.

US 6732152 B2 to Lockhart, John et al. discloses methods and apparatus for generation and distribution of surface mail objects.



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*Inquiries*

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is (571)272-4139. The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (571)272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen  
November 12, 2004

  
BA HUYNH  
PRIMARY EXAMINER